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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,056	03/12/2004	Matthew Labarge	50037.218US01	8450

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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/800,056	Applicant(s) LABARGE ET AL.	
	Examiner Chau Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-25 are pending. Claims 1, 11 and 20 are independent claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burkett et al. (Burkett), US Patent No. 6,635,089 and further in view of Subramaniam et al. (Subramaniam), US Patent Application Publication No. US 2002/0140731.

4. As to independent claims 1, 11 and 20, Burkett discloses computer-implemented method for binding data in a user interface (UI) script, comprising:

generating a tree structure that corresponds to the UI script (Figs. 4A&4B and Figs 5A-5E, col. 9, line 44 – col. 11, line 14: the DOM tree (tree structure) is generated and the DOM tree corresponds to the XML document (UI script));

inserting the data into a portion of the tree structure and grafting the portion of the tree into the tree structure (Figs. 4A-4E and col. 9, line 44 – col. 12, line 4:

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dynamically constructed nodes 421a, 422a and 423a in Fig. 4E have been substituted for nodes 415, 126 and its subtree comprised of nodes 417, 418a, 418b, and 419);

the UI output is dynamically updated with the data (col. 3, lines 59-67)

However, Burkett does not explicitly disclose cloning a portion of the tree structure; and displaying a UI output according to the tree structure. Since Burkett discloses substitute one portion of the tree with different data (Figs. 4A-4E and col. 9, line 44 – col. 12, line 4: dynamically constructed nodes 421a, 422a and 423a in Fig. 4E have been substituted for nodes 415, 126 and its subtree comprised of nodes 417, 418a, 418b, and 419), thus, the step of cloning a portion of the tree structure should be inherent in the above substitute step. In addition, Subramaniam discloses a user interface to view a status or control flow of a logical structure, the user interface can also provide a “tree control” feature or “tree structure” that shows the logical structure of a particular script (page 5, paragraphs [0054]-[0055]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Subramaniam and Burkett to include displaying a UI output according to the tree structure for modification and navigation purposes.

5. As to dependent claims 2 and 12, Burkett and Subramaniam (Burkett-Subramaniam) disclose wherein the tree structure and the UI script are logically equivalent (Burkett, col. 11, lines 1-14).

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6. As to dependent claims 3, 13 and 21, Burkett-Subramaniam disclose wherein cloning a portion of the tree structure further comprises determining which portions of the tree structure correspond to a specified tag of the UI script (Burkett, col. 9, lines 44-45).

7. As to dependent claims 4, 14 and 22, Burkett-Subramaniam disclose wherein the specified tag has an associated attribute for retrieving multiple records for display in the UI output as a list of records (Burkett, col. 11, lines 36 – col. 12, line 34).

8. As to dependent claims 5, 15 and 23, Burkett-Subramaniam disclose wherein the specified tag has an associated attribute that specifies an interval for refreshing the data (Burkett, col. 13, lines 47-65).

9. As to dependent claims 6 and 16, Burkett-Subramaniam disclose wherein inserting the data further comprises retrieving the data from an external data source (Burkett, col. 13, lines 6-20).

10. As to dependent claim 7, Burkett-Subramaniam disclose wherein retrieving the data further comprises determining a location of the data according to a uniform resource locator (URL) within the UI script (Burkett, col. 13, lines 6-20).

11. As to dependent claims 8 and 17, Burkett-Subramaniam disclose wherein retrieving the data further comprises passing a uniform resource locator (URL) that identifies a location of the data to a communication library (Burkett, col. 13, lines 6-20).

12. As to dependent claims 9, 18 and 24, Burkett-Subramaniam disclose wherein a state is associated with each portion of the tree structure in which data is inserted (Burkett, col. 17, line 27 – col. 18, line 38).

13. As to dependent claims 10, 19 and 25, Burkett-Subramaniam disclose wherein a first component is displayed in the UI when the state corresponds to a first state, and a second component is displayed in the UI when the state corresponds to a second state (Subramaniam, page 5, paragraphs [0054]-[0055]: the user interface can be used to view any specific section of a script, and an also be used to jump from one location (first state) of a script to another location (second state).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen
Patent Examiner
Art Unit 2176

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
4/25/2006